

EXCEPTIONS

If you disagree with the Proposed Order of Court following your custody conciliation conference at Juvenile Services, you have 20 days to file Exceptions to the order with the Prothonotary's Office, and request a custody trial before a Judge.

THIS IS A TRIAL AND YOU ARE REQUIRED TO FOLLOW ALL OF THE RULES ANY ATTORNEY WOULD HAVE TO FOLLOW. YOU ARE STRONGLY ENCOURAGED TO HIRE AN ATTORNEY TO REPRESENT YOU AT THE CUSTODY TRIAL AND ASSIST YOU IN FILING THE EXCEPTIONS.

If you choose to represent yourself, you should use the attached form. You will be expected to follow all rules regarding Pre-trial statements, Pre-trial conferences, Status conferences and Trial.

- 1. File all the included forms with the Prothonotary.**
- 2. Take a copy of all forms to Court Administration.**
- 3. Send a copy to the other party.**

Local Rule 1915A CUSTODY

3. Procedure After Conciliation Conference.

- (a) If the parties reach agreement, the Child Custody Conference Officer shall submit an Agreed Order to the Court bearing the written consents, evidenced by signatures of the parties and their counsel, if any. Neither the parties nor counsel need to appear before the Court for the Court's approval of the Agreed Order.
- (b) If, for any reason, the parties do not reach agreement, the Child Custody Conference Officer shall file a written report with the Court within five (5) business days, unless otherwise extended by agreement of counsel, or the parties if unrepresented. The report shall be in a narrative form and shall include the positions of the parties, proposed settlements of the parties, if any, and the recommendation of the Child Custody Conference Officer, together with reasoning for the recommendations and either a Proposed Order or a proposed Temporary Order. Upon receipt and review of the report, the Court shall issue a Proposed Order or a Temporary Order and promptly provide a copy thereof, together with a copy of the Child Custody Conference Officer's report, except for that portion of the report relating to comments from the minor child(ren), to counsel for the parties, or the parties themselves if not represented by counsel.
- (c) A Proposed Order shall be entered as a Final Order unless Exceptions thereto are filed by either party within twenty (20) days after the effective date set forth in the Proposed Order. Exceptions may also be filed to a Temporary Order at any time during the existence of the Temporary Order, but the Court will decide whether the Exceptions will be remanded back to the Child Custody Conference Officer for further proceedings and recommendation or set down by the court for a Pre-

Hearing Conference as provided for herein. The Court may Order, if circumstances warrant, that should Exceptions be filed, the Proposed Order shall be effective as a Temporary Order pending further Order of Court.

- (d) Exceptions to the Proposed Order or Temporary Order must be in writing and should state, with particularity, the portion(s) of the Order objected to. The Exceptions must be filed with the Prothonotary, and copies thereof must be delivered forthwith to the Court Administrator's Office, as well as to all counsel and/or unrepresented parties of record.
- (e) Failure of any party, having primary or shared physical custody of a child, to appear at a scheduled Conciliation Conference or Pre-Trial Conference will result in the scheduling of the matter for a Hearing before the Court and may result in imposition of sanctions by the Court.
- (f) Failure of any party, not having primary physical custody of a child, to appear at a scheduled Conciliation Conference or Pre-Trial Conference may result in the Court's entry of a Proposed Final Order or a Temporary Order, as the Court determines to be warranted under the circumstances found to be present and may result in the imposition of sanctions.

4. Pre-Trial Conference.

- (a) Upon receipt of the Exceptions by the Court Administrator's Office, the Court will schedule a Pre-Trial Conference to be attended by all counsel and parties, whether represented by counsel or not. A Pre-Trial Conference with the Court will be scheduled in every case and will be waived only with the consent of the Court.
- (b) No later than five (5) days prior to the date scheduled for Pre-Trial Conference, each attorney and each party not represented by counsel must file a completed Pre-Hearing Information Statement, on or in a form approved by the Court, at the Court Administrator's Office for the Presiding Judge, with copies provided to opposing counsel and/or unrepresented parties of record.
- (c) Failure of any party, having primary or shared physical custody of a child, to appear at a scheduled Conciliation Conference or Pre-Trial Conference will result in the scheduling of the matter for a Hearing before the Court and may result in imposition of sanctions by the Court.
- (d) Failure of any party, not having primary physical custody of a child, to appear at a scheduled Pre-Trial Conference may result in the Court's entry of a Proposed Final Order or a Temporary Order, as the Court determines to be warranted under the circumstances found to be present and may result in the imposition of sanctions.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

Plaintiff,

vs.

Defendant.

No. _____
Civil Action – Law

Type of Pleading:
**Exceptions to Proposed Custody
Order**

Filed on behalf of:

Name

Filing Party's Information:

Name: _____

Street: _____

City: _____

State, Zip : _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL ACTION-LAW

_____,
Plaintiff,

vs.

No. _____

_____,
Defendant.

EXCEPTIONS TO PROPOSED CUSTODY ORDER

Today, the _____ day of _____ 20 __, I, _____, disagree with the
Proposed Custody Order issued by the Court on (*date*) _____ and file Exceptions
for the following reasons :

1. _____
2. _____
3. _____
4. _____

(use additional sheets if necessary)

Date

Signature of Petitioner

Petitioner's Date of Birth: _____ (**month, day, year**)

CERTIFICATE OF READINESS

VS.

NO: _____ of _____

TYPE OF CASE :

☐ CIVIL ACTION

☐ EQUITY

☒ THE NATURE OF WHICH IS CUSTODY

☐ APPEAL FROM ARBITRATION

☐ OTHER

TO THE HONORABLE JUDGES OF SAID COURT:

The undersigned hereby certifies that the above entitled case is ready for trial. This certification means that all pleadings are closed, all discovery has been completed, all medical or other expert reports have been exchanged, all parties and witnesses are available and settlement negotiations have been exhausted.

A jury trial (has) (has not) been demanded in the pleadings. (Jury) (Non-Jury) (arbitration) trial is requested. Estimated trial time is _____(Hours) (Days).

There (is) (is not) a companion case filed at Case No _____ of 20 ____.

This case was previously assigned to Judge _____ for disposition of other matters
Including _____.

The following is a current listing of each party and counsel for that party:

NAME OF PARTY: _____

PLTF/DEFT/ADD.DEFT _____

NAME OF COUNSEL: _____

NAME OF PARTY: _____

PLTF/DEFT/ADD.DEFT _____

NAME OF COUNSEL: _____

NAME OF PARTY: _____

PLTF/DEFT/ADD.DEFT _____

NAME OF COUNSEL: _____

NAME OF PARTY: _____

PLTF/DEFT/ADD.DEFT _____

NAME OF COUNSEL: _____

At least 60 days written notice of intention to file this Certificate of Readiness has been given to each of the foregoing persons, pursuant to Local Rule L.212.1(B) (2).

Printed Name _____

DATED: _____

Signature of Counsel _____

NOTE: YOU ARE REQUIRED TO MAIL A COPY OF THIS CERTIFICATE OF READINESS FOR TRIAL TO ALL PARTIES OR THEIR COUNSEL AND TO THE COURT ADMINISTRATOR.

Revised 9-03